

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

Amendment No. 3 to HJR1103

**Southerland
Signature of Sponsor**

AMEND

House Joint Resolution No. 1103*

By deleting from the introduced resolution the language following the caption in its entirety and by substituting instead the following language:

WHEREAS, the Pigeon River is an invaluable natural resource to local residents and has the potential to contribute to a flourishing recreation and tourism industry; and

WHEREAS, for the past one hundred (100) years the Pigeon River has been affected by discharge waste from the pulp and paper mill in Canton, North Carolina, derogating the water quality of the river and depriving the people, aquatic life and our national treasure, the black bear, of a natural and healthy habitat; and

WHEREAS, the Environmental Protection Agency guaranteed the people of Cocke County a funded study of the Pigeon River Basin two (2) decades ago; and

WHEREAS, progress in the clean-up of the Pigeon River has stagnated and in some cases reversed in the past decade; and

WHEREAS, the contested case filed by the State of Tennessee (December 13, 1996), resulting in the Settlement Agreement of 1998 between Tennessee , North Carolina, Cocke County, City of Newport, Tennessee Environmental Council, American Canoe Association and Champion International Corporation, specifies that all parties are committed to "attaining further reductions in color in the river, at the quickest possible pace"; and

WHEREAS, the waste water permit expired in November of 2006 and, pursuant to the settlement agreement, all future permits were to be issued in a manner that would reduce the pollution and improve water quality of the Pigeon River; and

WHEREAS, pollution prevention technologies and best management practices are available and well-demonstrated that would result in less impact by the mill upon the Pigeon River; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that the Environmental Protection Agency is urged to take the lead role in the Technical Work Group.

BE IT FURTHER RESOLVED, that the Environmental Protection Agency is urged to include representatives appointed by the Cocke County legislative body in the negotiations and all work of the Technical Work Group.

BE IT FURTHER RESOLVED, that within the next permit cycle North Carolina is urged to require the Canton pulp and paper mill to implement technologies that will result in a Pigeon River below the mill that is as pristine as it is above the mill.

BE IT FURTHER RESOLVED, that the North Carolina Division of Water Quality is urged to hold a water quality hearing regarding the renewal of the NPDES permit of the Evergreen Paper Plant in Newport, Tennessee.

BE IT FURTHER RESOLVED, that the Environmental Protection Agency is requested to revisit the forty-two feet (42') of toxic sludge in Walters Lake as a Superfund site.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be sent to the North Carolina Division of Water Quality, the North Carolina Environmental Management Commission, the Region IV office of the United States Environmental Protection Agency in Atlanta, Georgia, the United States Environmental Protection Agency in Washington, D.C., and the Honorable Phil Bredesen, Governor of Tennessee.